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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/73,979	02/16/2001	Gasper Hernandez III	2925-0486P	2813

3059 7590 10/03/2002

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EXAMINER

ALPHONSE, FRITZ

ART UNIT PAPER NUMBER

2675

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/783,979

Applicant(s)
Gaspar Hernandez III

Examiner
Fritz Alphonse

Art Unit
2675



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 16, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Particularly, claim 9, line 2 recites the limitation "access to said port of said computing resource can be had,". "It is not clear as to what the applicant meant by "computing resource can be had". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobus (U.S. Pat. No. 4,794,520) in view of Gase (U.S. Pat. No. 6,363,081).

As to claim 1, Kobus (figs. 1-2) show a port-sharing system comprising: a computing resource (10) having a serial port (14); monitoring interface to said computing resource (16-19)

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available via said port (14); a plurality of end user devices (22, 23) to be connected to said monitoring interface (16-19); and an interface (20) to handle communications from said plurality of user devices (22, 23) that are intended for said monitoring interface (i.e., micro-controllers 16-19) and to handle communications from said monitoring interface that correspond to said communications from said user devices (22, 23), respectively.

Kobus does not explicitly teach about a liaison interface to handle communications from said plurality of end user devices.

However, in the same field of endeavor, Gase (fig. 1) shows a liaison interface (i.e., network port 26) to handle communications from a plurality of end user devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Gase's network port 26 to Kobus' interface system. Doing so, cursor position system should be able to reliably determine motion of a mouse over a grid surface for every possible relative position between the detector elements and the grid lines.

As to claim 2, Kobus (figs. 1-2) show a system, wherein said port (14) is a first port.

Kobus does teach about a liaison interface operable to connect to each of said plurality of end user devices via said second port while being connected to said computing resource via said first port. However, these limitations are disclosed by Gase (col. 1, lines 51-63). See the limitation above.

As to claims 3-4, Kobus (figs. 1-2) show a system wherein said liaison interface (20) is operable to give each user of one of said plurality of end user devices (22, 23) the impression of being directly connected to said computing resource.

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As to claims 5-6, Kobus (figs. 1-2) show a system, wherein the monitoring system is operable to retrieve information representing one or more parameters that are indicative of the operational state of the computing resource (col. 5, lines 1-11).

As to claims 7-8, the claims have substantially the limitations of claims 1-2. Therefore, they are analyzed as previously discussed in claims 1-2 above.

As to claim 9, Kobus (figs. 1-2) show a system, wherein said system includes a network through which access to said port of said computing resource can be had, and wherein said plurality of end user devices is operable as a terminal on 4 said network.

As to claim 10, the claim differs from claim 1 only in the following limitations “ a front input/output (I/O) unit to communicate with said plurality of end user devices; a back I/O unit to connect to said port of said computing resource”. However, this limitation is disclosed by Kobus (see figure 2).

As to claim 11, the claim has substantially the limitations of claim 2. Therefore, it is analyzed as previously discussed in claim 1 above.

As to claims 12-15, the claims have substantially the limitations of claims 3-6. Therefore, they are analyzed as previously discussed in claims 4-6 above.

As to claims 16-17, method claims 16-17 correspond to apparatus claims 1-2. Therefore, they are analyzed as previously discussed in claims 1-2 above.

As to claims 18-22, method claims 18-22 correspond to apparatus claims 2-5. Therefore, they are analyzed as previously discussed in claims 2-5 above.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cheng et al. (U.S. Pat. No. 5,235,592) discloses a dynamic switch protocols on a shared medium network.

Lovrenich (U.S. Pat. No. 5,619,722) discloses an addressable communication port expander.

Wagner et al. (U.S. Pat. No. 6,295,519) discloses a method and apparatus for coupling multiple computer peripherals to a computer system through a single I/O port.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse whose telephone number is (703) 308-8534. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or: (703)308-6606 for informal or draft communications, please label

"PROPOSED" or "DRAFT"

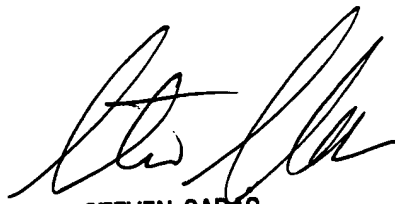
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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA.,
Sixth Floor (Receptionist).


F. Alphonse

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September 20, 2002


STEVEN SARAS
SUPERVISORY PATENT EXAMINER
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